

**TENTATIVE RULINGS**

**CIVIL / FAMILY LAW CASE MANAGEMENT CALENDAR**

**For: 10/05/09 Monday Dept: 1A**

**(Posted 10/01/09)**

Tentative Rulings are proposed as orders to be issued at the hearing and are posted in advance for the convenience of the parties and their counsel. Any party objecting to the tentative ruling should promptly notify the opposing party of the substance of the objection with sufficient time to allow all parties, or their attorneys of record, to appear in person or by telephone at the scheduled hearing. Absent objection, the Court routinely adopts the tentative ruling as posted. Failures to appear, absent an order to appear, are deemed consent to the tentative ruling.

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1. **1:00 PM** Case: CF8473 [M] CITIBANK SOUTH DAKOTA v FRAZURE  
Type: COLLECTIONS Date Filed: 02/20/09  
Priority Info: RULE 3.740  
Event: OSC RE: FILING COMPLIANCE  
\*VACATE IF ALL POS/ANSWERS ARE FILED\*

PLNTFF: CITIBANK SOUTH DAKOTA NA ATTY: HUNT & HENRIQUES  
DEFNDT: FRAZURE, FRED E

Tentative Ruling: Plaintiff has not filed a proper proof of service as to all defendants. Plaintiff must file proof of service as to all defendants or file a declaration of good cause prior to the OSC re: Sanctions [CRC 3.740(e)] hearing in Department 1A at 1:00 PM on 1/4/10.

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2. **1:00 PM** Case: CF8493 [M] CITIBANK SOUTH DAKOTA v PAOLUCCI  
Type: COLLECTIONS Date Filed: 03/10/09  
Priority Info: RULE 3.740  
Event: OSC RE: FILING COMPLIANCE  
\*VACATE IF ALL POS/ANSWERS ARE FILED\*

PLNTFF: CITIBANK SOUTH DAKOTA NA ATTY: HUNT & HENRIQUES  
DEFNDT: PAOLUCCI, JOHN T

Tentative Ruling: Plaintiff has not filed a proper proof of service as to all defendants. Plaintiff must file proof of service as to all defendants or file a declaration of good cause prior to the OSC re: Sanctions [CRC 3.740(e)] hearing in Department 1A at 1:00 PM on 1/4/10.

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3. 1:00 PM Case: CF8494 [M] CAPITAL ONE BANK v KLUZNIAK  
Type: COLLECTIONS Date Filed: 03/10/09  
Priority Info: RULE 3.740  
Event: OSC RE: FILING COMPLIANCE  
\*VACATE IF ALL POS/ANSWERS ARE FILED\*

PLNTFF: CAPITAL ONE BANK USA NA ATTY: HUNT & HENRIQUES  
DEFNDT: KLUZNIAK, TERESA D

Tentative Ruling: Plaintiff has not filed a proper proof of service as to all defendants. Plaintiff must file proof of service as to all defendants or file a declaration of good cause prior to the OSC re: Sanctions [CRC 3.740(e)] hearing in Department 1A at 1:00 PM on 1/4/10.

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4. 1:00 PM Case: CF8616 [M] STATE FARM v DRAGOMANOVICH  
Type: SUBROGATION Date Filed: 05/14/09  
Event: CASE MANAGEMENT CONFERENCE-CIVIL

PLNTFF: STATE FARM MUTUAL AUTOMOBILE INSU ATTY: PARKS LAW OFFICES, JEFFREY  
DEFNDT: DRAGOMANOVICH, GLENN ATTY: DEPARTMENT OF TRANSPORTATION  
Service Date/Type: 07/10/09 PER Answer Date: 08/25/09  
DEFNDT: STATE OF CALIFORNIA DEPARTMENT OF ATTY: DEPARTMENT OF TRANSPORTATION  
Service Date/Type: 07/20/09 PER Answer Date: 08/25/09

Tentative Ruling: The case is At-Issue and is set for Trial in Dept. 2 approximately 120 days out. The clerk's office shall provide a pretrial order with dates and times. Estimated trial length: 1 day court trial.

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5. 1:00 PM Case: CF8619 [M] CACH LLC v RUTHRAUFF  
Type: COLLECTIONS Date Filed: 05/14/09  
Event: CASE MANAGEMENT CONFERENCE-CIVIL

PLNTFF: CACH LLC ATTY: COLCLOUGH III, LAW OFFICES OF  
DEFNDT: RUTHRAUFF, ERIC  
Service Date/Type: 06/03/09 PER 00/00/00

Tentative Ruling: The parties indicate a settlement is pending but there is no signed agreement. Wherefore, the matter is not At-Issue and is set for further Case Management. By the next CMC, unless all defendants have filed responsive pleadings, Plaintiff is ordered to file defaults or dismissals of all defendants. The CMC is set for Dept 1A at 1:00 PM on 2/1/10.

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6. 1:00 PM Case: CF8770 [M] AMERICAN EXPRESS BANK v GATES  
Type: COLLECTIONS Date Filed: 08/03/09  
Event: CASE MANAGEMENT CONFERENCE-CIVIL

PLNTFF: AMERICAN EXPRESS BANK FSB ATTY: MANN BRACKEN LLP  
DEFNDT: GATES, SARAH ATTY: IN PRO PER  
Service Date/Type: 08/03/09 PER Answer Date: 09/01/09

Tentative Ruling: The case is At-Issue and is set for Trial in Dept. 2 approximately 120 days out. The clerk's office shall provide a pretrial order with dates and times. Estimated trial length: 1 day court trial.

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7. 1:00 PM Case: CV32866 [S] HALL v SOARES  
Type: BREACH OF CONTRACT Date Filed: 07/26/06  
Event: COURT'S MOTION TO DISMISS PER CRC 3.1385

PLF/XD: HALL, ROBERT D ATTY: WHITE, BLAIR M. ESQ  
TRSTEE: MELVA GARCIA TRUST  
DEF/XC: SOARES, ARTHUR ATTY: FORES MACKO  
Service Date/Type: 08/07/06 PER Answer Date: 09/06/06  
DEF/XC: SOARES, DIANNE ATTY: FORES MACKO  
Service Date/Type: 08/15/06 S/M Answer Date: 09/06/06  
X-DEFT MOUNTAIN RANCH REALTY INC. ATTY: STUDLEY, DAVID W. ESQ  
Service Date/Type: 00/00/00 Answer Date: 04/06/07  
X-DEFT DODGE, JIM ATTY: STUDLEY, DAVID W. ESQ  
Service Date/Type: 10/16/06 SUB Answer Date: 11/30/06  
DBA: MOUNTAIN RANCH REALTY

Tentative Ruling: Judgment was ordered 9/21/09. Plaintiff is instructed to file and serve a Notice of Entry of Judgment. There will be no further case management conferences at this time.

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8. 1:00 PM Case: CV34043 [S] NORTH AMERICAN v WEST COAST INDUSTRIAL  
Type: COMPLEX LITIGATION-RULES OF CT Date Filed: 09/07/07  
Event: TRIAL SETTING CONFERENCE  
11/06/09 2:00 1A MANDATORY SETTLEMENT CONFERENCE-CIVIL  
JUDGE PRO TEM GRANT BARRETT  
11/13/09 0:00 1 TICKLER RE: JURY FEES DUE 11-16-09  
12/09/09 2:30 6 READINESS CONFERENCE/MOTIONS IN LIMINE  
12/10/09 8:30 6 JURY TRIAL - CIVIL

PLNTFF: NORTH AMERICAN CAPACITY INSURANCE ATTY: BOORNAZIAN JENSEN & GARTHE  
INTVNR: LEXINGTON INSURANCE COMPANY ATTY: BRANSON BRINKOP GRIFFITH & ST  
DEFNDT: MCANDREWS, GARY W.  
Service Date/Type: 01/18/08 PER 00/00/00  
DBA: DIAMOND LATH AND PLASTER  
DEF/XC: DAVID DOLIN ROOFING INC ATTY: JAMPOL ZIMET SKANE & WILCOX L  
Service Date/Type: 10/01/07 SUB Answer Date: 11/02/07  
DF/X-D: B&G MECHANICAL INC  
Service Date/Type: 11/16/07 PER 00/00/00  
DF/X-D: RON ESQUIVEL CONCRETE ATTY: EMERSON COREY SORENSEN CHURCH  
Service Date/Type: 09/26/07 PER Answer Date: 11/20/07  
DF/X-D: UNLIMITED CONSTRUCTION AND BUILDI ATTY: IN PRO PER  
Service Date/Type: 09/28/07 PER Answer Date: 06/16/08  
D/XD/XC WEST COAST INDUSTRIAL FLOORING IN ATTY: BURNS, LAW OFFICE OF THOMAS J  
Service Date/Type: 09/28/07 SUB Answer Date: 12/11/07

Tentative Ruling: The case is At-Issue and the Settlement Conference in Dept. 1A at 2:00PM on 11/6/09 is confirmed unchanged. Trial is reset to Dept. 1 to commence 9:00AM on 12/9/09. The Trial Confirmation Conference / In Limine Motions hearing is reset to Dept. 1 at 11:00AM on 12/8/09. The clerk's office shall provide a pretrial order with dates and times.

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9. 1:00 PM Case: CV34094 [S] WITTSTRUCK v RADOSAVLEVICH  
Type: PI/PD MOTOR VEHICLE Date Filed: 09/21/07  
At-Issue Date: 00/00/00 Trial: 11/05/09 JURY TRIAL - LONG CAUSE  
Event: TRIAL SETTING CONFERENCE  
11/04/09 2:30 6 TRIAL READINESS CONF/MOTIONS IN LIMINE  
11/05/09 8:30 6 JURY TRIAL - AFTER ARBITRATION  
JURY FEES DEPOSITED BY DEFENDANT

PLNTFF: WITTSTRUCK, PETER JAMES ATTY: KIRBY KIRBY & KIRBY  
DEFNDT: RADOSAVLEVICH, ZORICA SAVICH ATTY: MAYALL HURLEY KNUTSEN SMITH &  
Service Date/Type: 11/04/07 SUB Answer Date: 10/29/07

Tentative Ruling: The case is At-Issue and the Trial is reset to Dept. 1 to commence 9:00AM on 11/4/09. The Trial Confirmation Conference / In Limine Motions hearing is reset to Dept. 1 at 11:00AM on 11/3/09. The clerk's office shall provide a pretrial order with dates and times.

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10. 1:00 PM Case: CV34301 [S] D COLLINS DEVELOPMENT v LINCOLN GENERAL  
Type: BREACH OF CONTRACT Date Filed: 12/18/07  
Event: CASE MANAGEMENT CONFERENCE ON  
PLAINTIFF'S MOTION FOR SUMMARY  
JUDGMENT  
10/27/09 10:00 1 PLNTF'S MOTION FOR SUMMARY ADJUDICATION  
ON DFNDT'S DUTY TO DEFEND

PLNTFF: D COLLINS DEVELOPMENT INC ATTY: FARMER SMITH LAW GROUP LLP  
DBA: COLLINS DEVELOPMENT CO ASSOC: WHITE, BLAIR M. ESQ  
DEFNDT: LINCOLN GENERAL INSURANCE CO ATTY: BURNHAM BROWN  
Service Date/Type: 00/00/00 Answer Date: 01/24/08  
ASSOC: YARON & ASSOCIATES

Tentative Ruling: The case is At-Issue and is set for Settlement Conference in Dept. 1A approximately 120 days out and for Trial in Dept. 1 approximately 150 days out. The clerk's office shall provide a pretrial order with dates and times. Estimated trial length: 5 day jury trial.

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11. 1:00 PM Case: CV34346 [S] CALIFORNIA STATE AUTO v ROBERT MANUFACTURING  
Type: NEGLIGENCE Date Filed: 01/07/08  
Event: TRIAL SETTING CONFERENCE

10/09/09 0:00 1 TICKLER RE: JURY FEES DUE 10-12-09  
10/16/09 1:00 1A MANDATORY SETTLEMENT CONFERENCE-CIVIL  
JUDGE PRO TEM GRANT BARRETT  
11/04/09 2:30 6 READINESS CONFERENCE/MOTIONS IN LIMINE  
11/05/09 8:30 6 JURY TRIAL - CIVIL

PLNTFF: CALIFORNIA STATE AUTOMOBILE ATTY: GRUNSKY EBEL FARRAR & HOWELL  
XD/XC BITTLE PLUMBING INC ATTY: FARBERSTEIN & BLACKMAN  
Service Date/Type: 00/00/00 Answer Date: 08/25/08  
XD/XC CJC ENTERPRISES INC ATTY: FLESHER BROOMAND LLP  
Service Date/Type: 09/11/08 PER Answer Date: 10/03/08  
DBA: HYDR-O-SEAL  
D/XD/XC ROBERT MANUFACTURING COMPANY ATTY: GREENFIELD HARDY  
Service Date/Type: 00/00/00 Answer Date: 04/21/08  
D/XD/XC CASTLE AND COOKE SADDLE CREEK ATTY: JONES & BEARDSLEY PC  
Service Date/Type: 01/11/08 PER Answer Date: 03/05/08  
X-COMP FANNTEER NORTH AMERICA INC ATTY: FARZAD & MAZAREI  
Service Date/Type: 00/00/00 Answer Date: 01/28/09

Tentative Ruling: The case is At-Issue and the Settlement Conference is reset to Dept. 1A at 1:00PM on 10/23/09. Trial is reset to Dept. 1 to commence 9:00AM on 11/4/09. The Trial Confirmation Conference / In Limine Motions hearing is reset to Dept. 1 at 11:00AM on 11/3/09. The clerk's office shall provide a pretrial order with dates and times.

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12. 1:00 PM Case: CV34418 [S] CALAVERAS LUMBER v MOORE  
Type: BREACH OF CONTRACT Date Filed: 02/14/08  
Event: FURTHER CASE MANAGEMENT CONFERENCE  
Event: CONTINUED OSC RE: FILING COMPLIANCE  
\*VACATE IF ALL POS/ANSWERS ARE FILED\*

PLNTFF: CALAVERAS LUMBER COMPANY INC ATTY: AIROLA & AIROLA  
DEFNDT: MOORE, WALTER L  
DBA: MOORE CONSTRUCTION  
DEFNDT: MOORE, DAVID  
Service Date/Type: 06/09/08 PER 00/00/00  
DBA: MOORE CONSTRUCTION  
DEFNDT: MOORE, LINDA M  
DBA: MOORE CONSTRUCTION

Tentative Ruling: The matter is not At-Issue and is set for further Case Management. By the next CMC, unless all defendants have filed responsive pleadings, Plaintiff is ordered to file defaults or dismissals of all defendants. The CMC is set for Dept 1A at 1:00 PM on 1/4/10.

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13. 1:00 PM Case: CV34557 [S] ADAMS v MID SIERRA BUILDERS  
Type: BREACH OF CONTRACT Date Filed: 04/01/08  
At-Issue Date: 00/00/00 Trial: 12/10/09 JURY TRIAL - LONG CAUSE  
Priority Info: TRANSFER IN FROM PLACER COUNTY  
Event: TRIAL SETTING CONFERENCE

11/06/09 1:00 1A MANDATORY SETTLEMENT CONFERENCE-CIVIL  
GRANT BARRETT, JUDGE PRO TEM  
11/13/09 0:00 1 TICKLER RE: JURY FEES DUE 11-16-09  
12/09/09 2:30 6 READINESS CONFERENCE/MOTIONS IN LIMINE  
12/10/09 8:30 6 JURY TRIAL - CIVIL  
HON THOMAS A SMITH, ASSIGNED

PLNTFF: ADAMS, CLAUDIA ATTY: OCHRACH, LAW OFFICES OF JEFFR  
DEF/XC: JONES, CRAIG ATTY: MATHENY SEARS LINKERT & JAIME  
Service Date/Type: 06/12/08 PER Answer Date: 09/23/08  
DF/X-D: KUNTZ, KEITH  
Service Date/Type: 06/12/08 PER 00/00/00  
D/XD/XC MID SIERRA BUILDERS INC. ATTY: FOLEY, KENNETH M ESQ  
Service Date/Type: 01/23/08 PER Answer Date: 04/29/08  
D/XD/XC JOHNSON, DERALD W. ATTY: FOLEY, KENNETH M ESQ  
Service Date/Type: 01/23/08 PER Answer Date: 04/29/08

Tentative Ruling: The case is At-Issue and the Settlement Conference in Dept. 1A at 1:00PM on 11/6/09 is confirmed unchanged. Trial is reset to Dept. 1 to commence 9:00AM on 12/9/09. The Trial Confirmation Conference / In Limine Motions hearing is reset to Dept. 1 at 11:00AM on 12/8/09. The clerk's office shall provide a pretrial order with dates and times.

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14. 1:00 PM Case: CV34900 [S] GOLD STRIKE HEIGHTS v WESTWIND DEVELOPMENT  
Type: CIVIL COMPLAINT Date Filed: 07/23/08  
Event: TRIAL SETTING-CIVIL

10/06/09 10:00 1 DEF WESTWIND DEVELOPMENT'S MOTION FOR  
SUMMARY JUDGMENT

Related cases NOT on this calendar: CV34353 , CV35141 ,  
PLNTFF: GOLD STRIKE HEIGHTS HOMEOWNERS AS ATTY: INMAN THOMAS LLP  
DEFNDT: WESTWIND DEVELOPMENT INC ATTY: WEISBERG, MICHAEL ESQ  
Service Date/Type: 08/24/08 PER Answer Date: 09/10/08  
DEFNDT: WOOLWORTH, A R ATTY: WEISBERG, MICHAEL ESQ  
Service Date/Type: 08/24/08 PER Answer Date: 09/10/08  
DEFNDT: PLACER TITLE COMPANY ATTY: OLSON, LAW OFFICES OF JOHN R.  
Service Date/Type: 08/19/08 PER Answer Date: 10/06/08  
DEFNDT: PISTELLA, RAYMOND L. ATTY: BEST BEST & KRIEGER LLP  
Service Date/Type: 00/00/00 Answer Date: 02/13/09  
DEFNDT: MEAGHER, JULIE - PERS REP OF MEAG  
Service Date/Type: 03/02/09 SUB 00/00/00  
D/TRSTE EVANS, LORETTA L ATTY: BEST BEST & KRIEGER LLP  
Service Date/Type: 10/20/08 SUB Answer Date: 02/13/09

Tentative Ruling: It is contemplated an amended complaint is pending. The matter is not At-Issue and is set for further Case Management. By the next CMC, unless all defendants have filed responsive pleadings, Plaintiff is ordered to file defaults or dismissals of all defendants. The CMC is set for Dept 1A at 1:00 PM on 12/7/09.

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15. 1:00 PM Case: CV35156 [S] PALOMINO & SONS v VALADEZ  
Type: BREACH OF CONTRACT Date Filed: 10/10/08  
Event: TRIAL SETTING

PLF/XD: PALOMINO & SONS INC ATTY: IN PRO PER  
Service Date/Type: 00/00/00 Answer Date: 04/09/09  
X/COMP: FIRST AMERICAN TITLE INSURANCE CO ATTY: BARNES LAW OFFICES, WILLIAM E  
DEFNDT: INDYMAC VENTURE LLC ATTY: BARNES LAW OFFICES, WILLIAM E  
Service Date/Type: 10/27/08 PER Answer Date: 12/11/08  
FKA: ONEWEST BANK FSB  
FKA: INDYMAC FEDERAL BANK FSB  
DF/X-D: VALADEZ, PETE JOHN  
Service Date/Type: 02/02/09 SUB 00/00/00

Tentative Ruling: Plaintiff corporation may not proceed lawfully in pro per.  
Plaintiff corporation has filed for bankruptcy protection. The next Case  
Management hearing shall be in Dept. 1A at 1:00PM on 2/1/10.

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16. 1:00 PM Case: CV35331 [S] RITE OF PASSAGE... v WEINSTEIN, ETAL  
Type: QUIET TITLE Date Filed: 12/22/08  
Event: TRIAL SETTING CONFERENCE AFTER MEDIATION

PLNTFF: RITE OF PASSAGE ATHLETIC TRAINING ATTY: PEMBERTON, TIMOTHY W. ESQ  
DEFNDT: WEINSTEIN, SIDNEY ATTY: AIROLA & AIROLA  
Service Date/Type: 00/00/00 Answer Date: 02/13/09  
ASSOC: ELLISON SCHNEIDER & HARRIS LL  
DEFNDT: NATHAN, RANDALL J. ATTY: AIROLA & AIROLA  
Service Date/Type: 00/00/00 Answer Date: 02/13/09  
ASSOC: ELLISON SCHNEIDER & HARRIS LL

Tentative Ruling: The case is At-Issue and is set for Settlement Conference in  
Dept. 1A approximately 120 days out and for Trial in Dept. 1 approximately 150  
days out. The clerk's office shall provide a pretrial order with dates and  
times. Estimated trial length: 4 day jury trial.

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17. 1:00 PM Case: CV35354 [S] JOHNSON v FOLEY  
Type: BREACH OF CONTRACT Date Filed: 12/31/08  
Event: TRIAL SETTING-CIVIL

PLF/XD: JOHNSON, DR. GARY ATTY: FOLEY, LAW OFFICES OF KENNETH  
DEF/XC: FOLEY, MARK ATTY: SULLIVAN, LAW OFFICES OF JOHN  
Service Date/Type: 01/24/09 PER Answer Date: 02/23/09

Tentative Ruling: The case is At-Issue and is set for Settlement Conference in  
Dept. 1A approximately 120 days out and for Trial in Dept. 1 approximately 150  
days out. The clerk's office shall provide a pretrial order with dates and  
times. Estimated trial length: 4 day jury trial.

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18. 1:00 PM Case: CV35398 [S] WELLS FARGO BANK v IRBY ANDERSON  
Type: BREACH OF CONTRACT Date Filed: 01/22/09  
Event: FURTHER CASE MANAGEMENT CONF-CIVIL

PLNTFF: WELLS FARGO BANK NEVADA NA A NATI ATTY: REESE LAW GROUP  
DEFNDT: ANDERSON, DEBRA J IRBY

Tentative Ruling: There is an order allowing service by publication. The matter is not At-Issue and is set for further Case Management. By the next CMC, unless all defendants have filed responsive pleadings, Plaintiff is ordered to file defaults or dismissals of all defendants. The CMC is set for Dept 1A at 1:00 PM on 2/1/10.

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19. 1:00 PM Case: CV35674 [S] FRENCH/PORRAS v HARRIS  
Type: PI/PD MOTOR VEHICLE Date Filed: 04/29/09  
Event: CASE MANAGEMENT CONFERENCE  
Event: CONTINUED OSC RE: FILING COMPLIANCE  
\*VACATE IF ALL POS/ANSWERS ARE FILED\*

PLNTFF: FRENCH, ASHLEY LAYNE ATTY: DEWAR AND ROCKWOOD  
PLNTFF: FRENCH, RYAN ATTY: DEWAR AND ROCKWOOD  
PLNTFF: PORRAS, MARALYN ATTY: DEWAR AND ROCKWOOD  
DEFNDT: HARRIS, SUSAN ELIZABETH

Tentative Ruling: The matter is not At-Issue and is set for further Case Management. By the next CMC, unless all defendants have filed responsive pleadings, Plaintiff is ordered to file defaults or dismissals of all defendants. The CMC is set for Dept 1A at 1:00 PM on 2/1/10.

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20. 1:00 PM Case: CV35714 [S] HALEY v RADAR  
Type: PI-NON MOTOR VEHICLE Date Filed: 05/14/09  
Event: CASE MANAGEMENT CONFERENCE-CIVIL

PLNTFF: HALEY, TIM ATTY: FOLEY, LAW OFFICES OF KENNETH  
DEFNDT: RADAR, CREG LYLE  
Service Date/Type: 06/25/09 PER 00/00/00

Tentative Ruling: The matter is not At-Issue and is set for further Case Management. By the next CMC, unless all defendants have filed responsive pleadings, Plaintiff is ordered to file defaults or dismissals of all defendants. The CMC is set for Dept 1A at 1:00 PM on 1/4/10.

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21. 1:00 PM Case: CV35720 [S] STOKES v COLLUM  
Type: FRAUD Date Filed: 05/15/09  
Event: CASE MANAGEMENT CONFERENCE-CIVIL  
Event: OSC RE: FILING COMPLIANCE  
\*VACATE IF ALL POS/ANSWERS ARE FILED\*

P/TRSTE STOKES, EDWARD H. ATTY: STUDLEY, DAVID W. ESQ  
P/TRSTE STOKES, GWENDOLYN A. ATTY: STUDLEY, DAVID W. ESQ  
DEFNDT: COLLUM, COLLEEN  
Service Date/Type: 05/28/09 PER 00/00/00  
DEFNDT: MORTGAGE, SIERRA  
Service Date/Type: 05/28/09 SUB 00/00/00  
DEFNDT: WESTERN ALLIANCE FINANCIAL SERVIC  
Service Date/Type: 05/28/09 SUB 00/00/00  
DEFNDT: ROCKY MOUNTAIN MORTGAGE  
Service Date/Type: 05/28/09 SUB 00/00/00  
DEFNDT: SUNRISE HOME MORTGAGE  
Service Date/Type: 05/28/09 SUB 00/00/00  
DEFNDT: DICKINSON, CRAIG ATTY: LANDER & PAUL  
Service Date/Type: 05/28/09 PER Answer Date: 07/07/09  
DEFNDT: DICKINSON ENTERPRISES ATTY: LANDER & PAUL  
Service Date/Type: 05/28/09 SUB Answer Date: 07/07/09  
DEFNDT: VALADEZ, VINCENT  
DEFNDT: HUBBARD, TODD ATTY: LANDER & PAUL  
Service Date/Type: 05/19/09 CER Answer Date: 07/07/09  
DEFNDT: ELK RIDGE PRESERVE LLC  
Service Date/Type: 05/28/09 SUB 00/00/00  
DEFNDT: COOK, STEVEN G. ATTY: WHITE, BLAIR M. ESQ  
Service Date/Type: 07/06/09 PER Answer Date: 08/28/09  
TRSTE STOKES 2001 REVOCABLE TRUST

Tentative Ruling: The matter is not At-Issue and is set for further Case Management. By the next CMC, unless all defendants have filed responsive pleadings, Plaintiff is ordered to file defaults or dismissals of all defendants. The CMC is set for Dept 1A at 1:00 PM on 1/4/10.

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22. 1:00 PM Case: CV35735 [S] HOLTZINGER v IMPINK  
Type: BREACH OF CONTRACT Date Filed: 05/18/09  
Event: CASE MANAGEMENT CONFERENCE-CIVIL

Related cases NOT on this calendar: CF8357 ,  
PLF/XD: HOLTZINGER, MICHELLE ATTY: GREENWELL, PATRICK B. ESQ  
DEF/XC: IMPINK, SEAN ATTY: DAMBACHER TRUJILLO & WRIGHT  
Service Date/Type: 00/00/00 Answer Date: 07/13/09

Tentative Ruling: The case is At-Issue and mediation is recommended to the parties. A Trial Setting Conference is set in Dept. 1A at 1:00 PM on 3/8/10.

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23. 1:00 PM Case: CV35737 [S] WALLER v BOARD OF SUPERVISORS  
Type: CIVIL COMPLAINT Date Filed: 05/22/09  
Event: CASE MANAGEMENT CONFERENCE-CIVIL

PLNTFF: WALLER, RAY ATTY: CARROLL, LAW OFFICE OF GAY  
DEFNDT: BOARD OF SUPERVISORS OF CALAVERAS ATTY: PORTER SCOTT  
Service Date/Type: 06/26/09 PER Answer Date: 07/23/09  
AKA: COUNTY OF CALAVERAS

Tentative Ruling: It appears this action is stayed pending removal to Federal Court. The next Case Management hearing shall be in Dept. 1A at 1:00PM on 4/5/10.

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24. 1:00 PM Case: CV35925 [S] CITIBANK SOUTH DAKOTA v PORTEOUS  
Type: BREACH OF CONTRACT Date Filed: 07/27/09  
Event: OSC RE: FILING COMPLIANCE  
\*VACATE IF ALL POS/ANSWERS ARE FILED\*  
12/21/09 1:00 1A CASE MANAGEMENT CONFERENCE-CIVIL

PLNTFF: CITIBANK SOUTH DAKOTA NA ATTY: HUNT & HENRIQUES  
DEFNDT: PORTEOUS, JAMES P

Tentative Ruling: Plaintiff has not filed a proper Proof of Service as to all defendants. The OSC is continued over to the previously scheduled CMC time and date.

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25. 1:00 PM Case: CV35928 [S] CARLSON v CAMPBELL  
Type: BREACH OF CONTRACT Date Filed: 07/29/09  
Event: OSC RE: FILING COMPLIANCE  
\*VACATE IF ALL POS/ANSWERS ARE FILED\*  
12/14/09 1:00 1A CASE MANAGEMENT CONFERENCE-CIVIL

PLNTFF: CARLSON, BEVERLY E. ATTY: FOLEY, LAW OFFICES OF KENNETH  
DEFNDT: CAMPBELL, DAVID T.  
Service Date/Type: 09/05/09 PER 00/00/00  
DEFNDT: CAMPBELL, JANIE C.  
Service Date/Type: 09/05/09 PER 00/00/00  
DEFNDT: CAMPBELL, DUSTIN

Tentative Ruling: Plaintiff has not filed a proper Proof of Service as to all defendants. The OSC is continued over to the previously scheduled CMC time and date.

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26. **1:30 PM** Case: CV33417 [S] ROBIN v ROBIN  
Type: DISSOLUTION WITH MINOR CHILDRE Date Filed: 02/07/07  
Event: FURTHER CASE MANAGEMENT CONF-FAMILY LAW

PETNR: ROBIN, CATHLEEN D ATTY: IN PRO PER  
RESP: ROBIN, THIERRY  
Service Date/Type: 02/10/07 PER 00/00/00

Tentative Ruling: This matter may be concluded by filing a Marital Settlement Agreement ("MSA") signed by the parties attached to the Judgment (FL-180). After review of the file, the matter is set for a further Case Management Conference in Dept. 1A at 1:30 PM on 2/1/10.

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27. **1:30 PM** Case: CV33527 [S] JONES v JONES  
Type: DISSOLUTION WITHOUT MINOR CHIL Date Filed: 03/14/07  
Event: FURTHER CASE MANAGEMENT CONF-FAMILY LAW

PETNR: JONES, KIMBERLY L ATTY: IN PRO PER  
RESP: JONES, KEITH  
Service Date/Type: 06/10/07 PER 00/00/00

Tentative Ruling: Petitioner is ordered to serve and file a Preliminary Declaration of Disclosure (FL-141) prior to the next hearing. There is Proof of Service but no Response (FL-120) or Default (FL-165). Prior to the next CMC, unless a Response is filed, Petitioner must file the Request for Default or dismiss the action. The CMC is set for Dept 1A at 1:30 PM on 4/5/10.

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28. **1:30 PM** Case: CV34807 [S] CASILLAS v AGRAZ  
Type: DISSOLUTION WITH MINOR CHILDRE Date Filed: 06/23/08  
Priority Info: NEEDS SPANISH ASSISTANCE  
Event: FURTHER CMC RE STATUS OF RESP &  
FINALIZATION OF PROPERTY/SUPPORT NEEDS  
\*NEEDS SPANISH ASSISTANCE\*

Related cases NOT on this calendar: CV35292 ,  
PETNR: CASILLAS, MARISELA ATTY: IN PRO PER  
Service Date/Type: 00/00/00 00/00/00 SpNd:SPANISH  
J/PRTY: COUNTY OF CALAVERAS D.A.: CENTRAL SIERRA CHILD SUPPORT  
RESP: AGRAZ, JOSE C.  
Service Date/Type: 06/30/08 PER 00/00/00 SpNd:SPANISH

Tentative Ruling: Petitioner is ordered to serve and file a Preliminary Declaration of Disclosure (FL-141) prior to the next hearing. There is Proof of Service but no Response (FL-120) or Default (FL-165). Prior to the next CMC, unless a Response is filed, Petitioner must file the Request for Default or dismiss the action. The CMC is set for Dept 1A at 1:30 PM on 1/4/10.

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29. 1:30 PM Case: CV34823 [S] MCCARTNEY v SOW  
Type: DISSOLUTION WITH MINOR CHILDRE Date Filed: 06/26/08  
Event: FURTHER CASE MANAGEMENT CONFERENCE

Related cases NOT on this calendar: CV34594 ,  
PETNR: MCCARTNEY, MARY KATE ATTY: IN PRO PER  
RESP: SOW, CHEIKH A.  
Service Date/Type: 07/01/08 PER 00/00/00

Tentative Ruling: If a final Judgment (FL-180) on all issues is on file prior to the next Case Management hearing the Case Management hearing will be vacated. After review of the file, the matter is set for a further Case Management Conference in Dept. 1A at 1:30 PM on 1/4/10.

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30. 1:30 PM Case: CV34943 [S] CAMDEN v CAMDEN  
Type: DISSOLUTION WITH MINOR CHILDRE Date Filed: 07/28/08  
Event: FURTHER CASE MANAGEMENT CONFERENCE

PETNR: CAMDEN, JIM ATTY: FOYIL, DAVID ESQ  
RESP: CAMDEN, CHRISTINA ATTY: MORRIS, KEITH V. ESQ.  
Service Date/Type: 09/02/08 PER Answer Date: 09/23/08

Tentative Ruling: Custody is resolved and a bifurcated judgment should be prepared and submitted on those issues. Petitioner is ordered to serve and file a Preliminary Declaration of Disclosure (FL-141) prior to the next hearing. Thereafter, Petitioner and Respondent are ordered to serve and file Final Declarations of Disclosure (FL-141) prior to the next hearing. After review of the file, the matter is set for a further Case Management Conference in Dept. 1A at 1:30 PM on 1/4/10.

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31. 1:30 PM Case: CV34947 [S] COX v COX  
Type: DISSOLUTION WITHOUT MINOR CHIL Date Filed: 07/30/08  
Event: FURTHER CASE MANAGEMENT CONF-FAMILY LAW

PETNR: COX, PAMELA ATTY: IN PRO PER  
RESP: COX, BRANDON  
Service Date/Type: 08/06/08 ACK 00/00/00

Tentative Ruling: Petitioner is ordered to serve and file a Preliminary Declaration of Disclosure (FL-141) prior to the next hearing. There is Proof of Service but no Response (FL-120) or Default (FL-165). Prior to the next CMC, unless a Response is filed, Petitioner must file the Request for Default or dismiss the action. The CMC is set for Dept 1A at 1:30 PM on 1/4/10.

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32. 1:30 PM Case: CV35201 [S] RENFREE v PARKER  
Type: ESTABLISH PARENTAL RELATIONSHI Date Filed: 10/30/08  
Event: FURTHER CASE MANAGEMENT CONFERENCE

Related cases NOT on this calendar: CV34982 ,  
PETNR: RENFREE, BETHANY A. ATTY: IN PRO PER  
RESP: PARKER, SILAS D.  
Service Date/Type: 11/06/08 PER 00/00/00

Tentative Ruling: There is Proof of Service but no Response (FL-220) or Default (FL-165). Prior to the next CMC, unless a Response is filed, Petitioner must file the Request for Default or dismiss the action. The CMC is set for Dept 1A at 1:30 PM on 2/1/10.

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33. 1:30 PM Case: CV35284 [S] LUFT v LUFT  
Type: DISSOLUTION WITH MINOR CHILDRE Date Filed: 12/04/08  
Event: FURTHER CASE MANAGEMENT CONFERENCE

PETNR: LUFT, TAMRA R. ATTY: IN PRO PER  
RESP: LUFT, DONALD R. JR  
Service Date/Type: 12/07/08 PER 00/00/00

Tentative Ruling: The Default of the respondent has been entered. Petitioner must go to the clerk's filing window to schedule a "Default Prove-Up" hearing. Petitioner must attend that brief hearing and submit the Judgment (FL-180) and Notice of Judgment (FL-190) papers. After review of the file, the matter is set for a further Case Management Conference in Dept. 1A at 1:30 PM on 1/4/10.

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34. 1:30 PM Case: CV35285 [S] QURAISHI v QURAISHI  
Type: DISSOLUTION WITH MINOR CHILDRE Date Filed: 12/04/08  
Event: FURTHER CASE MANAGEMENT CONFERENCE

PETNR: QURAISHI, ANDREA ATTY: TRIFILO, JOHN J. ESQ  
RESP: QURAISHI, GAYAS ATTY: SPITZE, CHERIE ESQ  
Service Date/Type: 00/00/00 Answer Date: 12/16/08

Tentative Ruling: The matter is set for Settlement and Trial Setting Conference (See Local Rule 5.9(b)) with Settlement Conference Statements due 5 court days prior to hearing at 2:30 PM in Dept. 1A on 1/4/10.

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35. 1:30 PM Case: CV35290 [S] SEIM v SEIM  
Type: DISSOLUTION WITH MINOR CHILDRE Date Filed: 12/05/08  
Event: FURTHER CASE MANAGEMENT CONF-FAMILY LAW

PETNR: SEIM, JAMES MARK ATTY: TRIFILO, JOHN J. ESQ  
RESP: SEIM, LORNA MCCALL

Tentative Ruling: The petitioner has not filed a Proof of Service (FL-115) of the Summons and Petition with the court. The court cannot proceed with any orders until Proof of Service is filed. Petitioner is ordered to serve and file a Preliminary Declaration of Disclosure (FL-141) prior to the next hearing. After review of the file, the matter is set for a further Case Management Conference in Dept. 1A at 1:30 PM on 1/4/10.

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36. 1:30 PM Case: CV35486 [S] ROLLAND v ROLLAND  
Type: DISSOLUTION WITHOUT MINOR CHIL Date Filed: 02/17/09  
Event: FURTHER CASE MANAGEMENT CONF-FAMILY LAW

Related cases NOT on this calendar: CV35405 ,  
PETNR: ROLLAND, MARLENE ATTY: IN PRO PER  
RESP: ROLLAND, ERIC BRANDON

Tentative Ruling: The petitioner has not filed a Proof of Service (FL-115) of the Summons and Petition with the court. The court cannot proceed with any orders until Proof of Service is filed. Petitioner is ordered to serve and file a Preliminary Declaration of Disclosure (FL-141) prior to the next hearing. After review of the file, the matter is set for a further Case Management Conference in Dept. 1A at 1:30 PM on 1/4/10.

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37. 1:30 PM Case: CV35515 [S] STEVENSON v STEVENSON  
Type: DISSOLUTION WITHOUT MINOR CHIL Date Filed: 02/25/09  
Event: FURTHER CASE MANAGEMENT CONFERENCE

Related cases NOT on this calendar: CV35592 ,  
PETNR: STEVENSON, ERIK ATTY: CALDERWOOD, BRUCE G ESQ  
RESP: STEVENSON, DONNA M ATTY: YANKOVSKY, KRISTINE ESQ  
Service Date/Type: 03/05/09 PER Answer Date: 03/25/09

Tentative Ruling: Petitioner and Respondent are ordered to serve and file Preliminary Declarations of Disclosure (FL-141) prior to the next hearing. After review of the file, the matter is set for a further Case Management Conference in Dept. 1A at 1:30 PM on 1/4/10.

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38. 1:30 PM Case: CV35516 [S] MILLER v MILLER  
Type: DISSOLUTION WITH MINOR CHILDRE Date Filed: 02/25/09  
Event: FURTHER CASE MANAGEMENT CONFERENCE

Related cases NOT on this calendar: CV35544 ,  
PETNR: MILLER, TARA ATTY: IN PRO PER  
RESP: MILLER, DELBERT  
Service Date/Type: 03/07/09 PER 00/00/00

Tentative Ruling: There is Proof of Service but no Response (FL-120) or Default (FL-165). Prior to the next CMC, unless a Response is filed, Petitioner must file the Request for Default or dismiss the action. The CMC is set for Dept 1A at 1:30 PM on 1/4/10.

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39. 1:30 PM Case: CV35543 [S] GETO v GETO  
Type: DISSOLUTION WITH MINOR CHILDRE Date Filed: 03/11/09  
Event: FURTHER CASE MANAGEMENT CONF-FAMILY LAW

Related cases NOT on this calendar: CV28406 ,  
PETNR: GETO, BOBBI ATTY: IN PRO PER  
RESP: GETO, ROBERT ATTY: IN PRO PER  
Service Date/Type: 03/16/09 PER Answer Date: 04/08/09

Tentative Ruling: Petitioner and Respondent are ordered to serve and file a Final Declarations of Disclosure (FL-141) prior to the next hearing. If the disclosures are filed, the matter is set for Settlement and Trial Setting Conference (See Local Rule 5.9(b)) with Settlement Conference Statements due 5 court days prior to hearing at 2:30 PM in Dept. 1A on 1/4/10.

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40. 1:30 PM Case: CV35726 [S] HAMMOND v HAMMOND  
Type: DISSOLUTION WITHOUT MINOR CHIL Date Filed: 05/20/09  
Event: CASE MANAGEMENT CONFERENCE-FAMILY LAW

PETNR: HAMMOND, DAVE L ATTY: IN PRO PER  
RESP: HAMMOND, SABINE ATTY: IN PRO PER  
Service Date/Type: 05/20/09 PER Answer Date: 06/10/09

Tentative Ruling: Respondent is ordered to serve and file a Preliminary Declaration of Disclosure (FL-141) prior to the next hearing. Thereafter, Petitioner and Respondent are ordered to serve and file Final Declarations of Disclosure (FL-141) prior to the next hearing. After review of the file, the matter is set for a further Case Management Conference in Dept. 1A at 1:30 PM on 1/4/10.

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41. 1:30 PM Case: CV35738 [S] CARNESESSA v CARNESECCA  
Type: DISSOLUTION WITH MINOR CHILDRE Date Filed: 05/22/09  
Event: CASE MANAGEMENT CONFERENCE-FAMILY LAW

Related cases NOT on this calendar: CV34551 ,  
PETNR: CARNESECCA, JASON ATTY: IN PRO PER  
RESP: CARNESECCA, CHRISTIAN

Tentative Ruling: The petitioner has not filed a Proof of Service (FL-115) of the Summons and Petition with the court. The court cannot proceed with any orders until Proof of Service is filed. Petitioner is ordered to serve and file a Preliminary Declaration of Disclosure (FL-141) prior to the next hearing. After review of the file, the matter is set for a further Case Management Conference in Dept. 1A at 1:30 PM on 1/4/10.

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42. 1:30 PM Case: CV35755 [S] BARRY v BARRY  
Type: DISSOLUTION WITH MINOR CHILDRE Date Filed: 05/29/09  
Event: CASE MANAGEMENT CONFERENCE-FAMILY LAW

PETNR: BARRY, AMY NICOLE ATTY: IN PRO PER  
RESP: BARRY, DAVID MATTHEW ATTY: IN PRO PER  
Service Date/Type: 06/06/09 NAR Answer Date: 07/07/09

Tentative Ruling: Petitioner and Respondent are ordered to serve and file Preliminary Declarations of Disclosure (FL-141) prior to the next hearing. After review of the file, the matter is set for a further Case Management Conference in Dept. 1A at 1:30 PM on 12/7/09.

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43. 1:30 PM Case: CV35760 [S] MACKERRACHER v MACKERRACHER  
Type: DISSOLUTION WITHOUT MINOR CHIL Date Filed: 06/01/09  
Event: CASE MANAGEMENT CONFERENCE-FAMILY LAW

PETNR: MACKERRACHER, WILLIAM J ATTY: IN PRO PER  
RESP: MACKERRACHER, TAMI L ATTY: IN PRO PER  
Service Date/Type: 06/05/09 PER Answer Date: 07/01/09

Tentative Ruling: Petitioner and Respondent are ordered to serve and file Preliminary Declarations of Disclosure (FL-141) prior to the next hearing. After review of the file, the matter is set for a further Case Management Conference in Dept. 1A at 1:30 PM on 1/4/10.

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44. 1:30 PM Case: CV35761 [S] CUNEO v CUNEO  
Type: DISSOLUTION WITHOUT MINOR CHIL Date Filed: 06/01/09  
Event: CASE MANAGEMENT CONFERENCE-FAMILY LAW

PETNR: CUNEO, MARY ANN ATTY: IN PRO PER  
RESP: CUNEO, RAYMOND FRANK  
Service Date/Type: 08/26/09 PER 00/00/00

Tentative Ruling: Petitioner is ordered to serve and file a Preliminary Declaration of Disclosure (FL-141) prior to the next hearing. There is Proof of Service but no Response (FL-120) or Default (FL-165). Prior to the next CMC, unless a Response is filed, Petitioner must file the Request for Default or dismiss the action. The CMC is set for Dept 1A at 1:30 PM on 1/4/10.

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45. 1:30 PM Case: CV35762 [S] GOWAN v GOWAN  
Type: DISSOLUTION WITH MINOR CHILDRE Date Filed: 06/01/09  
Event: CASE MANAGEMENT CONFERENCE-FAMILY LAW

Related cases NOT on this calendar: CV35990 ,  
PETNR: GOWAN, SHAWN R ATTY: IN PRO PER  
RESP: GOWAN, JENNIFER M ATTY: HEADLEY, FRANCES A. ESQ  
Service Date/Type: 06/02/09 PER 00/00/00

Tentative Ruling: Respondent is ordered to serve and file a Preliminary Declaration of Disclosure (FL-141) prior to the next hearing. Thereafter, Petitioner and Respondent are ordered to serve and file Final Declarations of Disclosure (FL-141) prior to the next hearing. After review of the file, the matter is set for a further Case Management Conference in Dept. 1A at 1:30 PM on 1/4/10.

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46. 1:30 PM Case: CV35768 [S] WHITEAR v WHITEAR  
Type: DISSOLUTION WITHOUT MINOR CHIL Date Filed: 06/02/09  
Event: CASE MANAGEMENT CONFERENCE-FAMILY LAW

PETNR: WHITEAR, CHRISTOPHER SCOTT ATTY: IN PRO PER  
RESP: WHITEAR, SHERRY KAY

Tentative Ruling: Petitioner is ordered to serve and file a Preliminary Declaration of Disclosure (FL-141) prior to the next hearing. There is Proof of Service but no Response (FL-120) or Default (FL-165). Prior to the next CMC, unless a Response is filed, Petitioner must file the Request for Default or dismiss the action. The CMC is set for Dept 1A at 1:30 PM on 1/4/10.

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47. **2:30 PM** Case: CV33089 [S] MARSHALL v MARSHALL  
Type: DISSOLUTION WITH MINOR CHILDRE Date Filed: 10/19/06  
Event: SETTLEMENT CONFERENCE/TRIAL SETTING

PETNR: MARSHALL, NANCY H. ATTY: CALDERWOOD, BRUCE G ESQ  
RESP: MARSHALL, MICHAEL J. ATTY: YANKOVSKY, KRISTINE ESQ  
Service Date/Type: 10/23/06 PRS Answer Date: 11/07/06

Tentative Ruling: It appears all contested matters have been resolved, if so the parties should confirm that understanding prior to the hearing and no appearances will be required. If there are contested issues the parties, and their legal counsel if represented, are ordered to appear.

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48. 2:30 PM Case: CV35580 [S] CAMPBELL v DEHERRERA  
Type: ESTABLISH PARENTAL RELATIONSHI Date Filed: 03/26/09  
Priority Info: CONFIDENTIAL FILE  
Event: CONTINUED SETTLEMENT AND TRIAL SETTING  
CONFERENCE; REVIEW OF VISITATION

PETNR: CAMPBELL, ANNA LAURIE ATTY: IN PRO PER  
MINOR: DEHERRERA MINOR P.D.: KEENE (P.D.), PATRICK M ESQ  
RESP: DEHERRERA, DAVID PAUL JOSEPH ATTY: IN PRO PER  
Service Date/Type: 00/00/00 Answer Date: 06/09/09

Tentative Ruling: There is no Tentative Ruling on this case. The parties, and their legal counsel if represented, are ordered to appear.

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